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MR. PRESIDENT :—" I do not think you will go so far as to say that the House ought not to discuss the general principles now."

* THE HON. SRI K. MADHAVA MENON :—" Not at all, Sir. But they are now asking for figures. They cannot ask me for figures at this stage. Sir, my hon. Friend said that he has lost hope in this House. I say, Sir, I have lost hope in him. Dr. John said that it was beneath his dignity. I also feel that it is beneath my dignity to reply to some of these things."

DR. V. K. JOHN :—" What about rule 105? "

MR. PRESIDENT :—" When the motion for the appointment of a Joint Select Committee is before the House, is it not open to the House to say that they do not agree with the general principles of the Bill and therefore would not agree to appoint members to the Joint Select Committee? "

DR. V. K. JOHN :—" No Sir. The general principles are not to be discussed at that stage. The stage at which the general principles can be discussed is after the Bill has been passed by the other House and introduced in this House."

MR. PRESIDENT :—" The only point which the Hon. Minister has raised is that if the Opposition had made these points clear at the time when the motion for the appointment of a Joint Select Committee was made, it would have helped the discussions in the Select Committee. There is no question of anybody being prohibited from discussing the general principles at this stage. When the motion for the appointment of a Joint Select Committee is made, I do not think anybody is prevented from saying, 'I do not agree with the general principles of the Bill and a Select Committee need not be appointed at all.' I do not agree with the view that the House cannot say that at that stage."

The question that the Bill be passed into law was put and carried.

(7) THE MADRAS PUBLIC LIBRARIES BILL, 1947
(L.A. BILL No. 9 OF 1948).

* THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—" Sir, I move—

'That the Madras Public Libraries Bill, 1947 (L.A. Bill No. 9 of 1948) as passed by the Legislative Assembly be taken into consideration.'

" It is unnecessary for me to expatiate upon the need for the establishment of a good library system throughout the Province. The libraries are the single biggest agency for adult education in any country in the world. Libraries are of various kinds. They may be of the ordinary sort which serve the ordinary man and woman. They may be also of a highly technical nature serving the specialized profession like engineers and medical men. Apart

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from the libraries in the schools, it is necessary that we should have a network of libraries throughout the Province which will help people to educate themselves further after they have left schools and colleges. In fact the high level of intelligence and knowledge in a country depends upon a wise provision of a library system to meet the needs of the people of the various places.

"Till now the growth of libraries in the Province has been haphazard. There has not been a central direction and there has not been even a proper guidance. Individuals and associations felt the need for books and have sought to meet them by establishing libraries of a sort in their own places. Many of them are not equipped with modern books and many of them do not have the finances to do so and many of them even when they have the finances do not have the guidance to organize them properly. In 1947 the number of libraries was 1,544 of which 1,159 were managed by district boards and panchayats, 102 by municipalities, 47 by co-operative societies and 235 by private managements. In the same year the amount spent for the libraries was Rs. 76,000 from Provincial funds, Rs. 1,22,000 from Local Board funds and Rs. 6,28,000 from private funds.

"The matter of library legislation has been before the Government for nearly a quarter of a century. I am glad it has been possible for me to introduce this legislation before the Madras Legislature. The original Bill as introduced in the Assembly provided for the constitution of a Provincial Library Committee to advise Government in all matters relating to libraries. It also provided for the appointment of a Director to supervise the libraries throughout the Province. There will be a central library in the Province which will be managed by the Director. Provision has also been made for the free supply to this library of four copies of every new book printed in this Province by suitable amendments to the Press and Registration of Books Act, 1867.

"The original Bill provided for the Corporation of Madras, district municipalities and panchayats to be the local library authorities for their respective areas and also provided that a library committee may be constituted in all these places to assist the local library authority except the panchayat. Each local library authority will have separate library funds. Local library authorities, other than district boards, are required to levy a library cess in the form of a surcharge on the property tax or house-tax levied by them, at the rate of three pies for every whole rupee in the tax levied. There was a provision in the Bill that the rate of this cess may be increased by the Government or with their sanction. Power has also been given to all library authorities (including district boards) to levy other library cesses with the previous sanction of the Government. The Government will also have power to compel such authorities to levy such cesses, where necessary. In all cases, the provisions of the City Municipal Act, the District

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Municipalities Act or the Local Boards Act, as the case may be, will apply to the recovery of library cesses, subject to any modifications and restrictions which may be found necessary by Government.

“ When the Bill was referred to the Select Committee, it made certain changes. The main changes made in the Select Committee were :—

‘ (1) *Clause 5*.—The constitution of the local library authorities was changed. Instead of making the district boards and the municipalities and the panchayats and the Corporation of Madras the local library authorities, a separate constitution has been provided apart from these bodies for bringing into existence the local library authorities. The reason for bringing in these separate bodies has been to make it more or less an expert body with representation for the local boards concerned and also representation for the libraries as well as educational institutions. Secondly, if different library authorities are there separately for each municipality, panchayat and the district board, there will not be proper co-ordination between these authorities. In view of the meagre finances that will be at the disposal of these libraries, unless there is a proper co-ordination of these libraries under a single library authority, it was felt that the library movement may not be built up in a proper co-ordinated manner throughout the district. It is necessary that there must be something like a central library in each district so that, if necessary, it will stock rare books and lend out to other libraries and this will be possible only when you will have a co-ordinated single library authority for the whole district.

‘ The third change made in the Select Committee has been the enhancement of the rate of the cess from three pies to six pies. It is expected that by this increase the money available for libraries will be increased from Rs. 1,50,000 to Rs. 3,00,000. The income will be doubled.

‘ The next important change made by the Select Committee is in clause 13 (3). The Provincial Government shall contribute to the library fund maintained by every local library authority other than the local library authority for the City of Madras, a sum not less than the cess collected under section 12, sub-section (2).

‘ This is by way of helping the library movement from provincial funds. I need not say that it has been widely welcomed by all people who are interested in the growth of libraries.

‘ These are in the main the changes made by the Select Committee. When the Bill came before the Assembly, the House unanimously accepted the report of the Select Committee. A few verbal changes have been made about which I need not mention here.’ ”

MR. PRESIDENT :—“ Some panchayats are maintaining libraries.”

* THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—
“ They will continue to exist.

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"Sir, the Bill has been warmly welcomed by all, especially the provision that the Government should contribute an equal sum. I hope, Sir, that this will inaugurate a new era in which all the library authorities will work in a co-ordinated manner and every district will be equipped as time goes on with a number of libraries so that adult education of the proper type may be provided to the men and women of our Province."

MR. PRESIDENT :—"What is the surcharge? Is it on land cess?"

* THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—"It is on house-tax, Sir."

3-45
p.m.

* DR. V. K. JOHN :—"Mr. President, Sir, I must congratulate and compliment the Hon. Minister on introducing this Bill particularly I must congratulate him on the statistics and the explanations he has given. If one had not read either the original Bill or the one as passed by the Select Committee or the one as passed by the Assembly, one would have understood the Bill very well from the way the Minister has explained in detail the important provisions of the Bill. Particularly I am obliged to him for the figures he has given. Sir, libraries play a very useful function in the Province particularly when so many are uneducated and so many cannot afford to keep private libraries of their own. This is a new experiment and I must congratulate the Hon. Minister on bringing a Bill to put libraries on a statutory basis."

"Now, Sir, personally speaking, I would have myself preferred to keep the original Bill without constituting a local library authority; it is not essential for the efficient functioning of libraries in various parts of the Province to have a central authority or local library authorities. But there is nothing wrong in it, and I would not take very serious objection to it, although my preference would have been for what was provided in the original Bill without amendment by the Select Committee."

MR. PRESIDENT :—"What was the original provision?"

DR. V. K. JOHN :—"The original provision was that local bodies should run them. The original provision had some meaning because under clause 12 every local library authority shall levy in its area a library cess in the form of a surcharge on property tax or house-tax levied in such area and it is the Corporation and the municipalities which have to collect and hand over the amount to these authorities. It might be said 'why owners of properties alone should make the major contribution to this public fund for libraries'. After all, the Government have to find out some place where it is certain they can find some money. The income-tax is not within our jurisdiction, and therefore I think it is quite proper they put their hands on something from which they can always take some money. The Hon. Minister drew special attention to the fact that the Government are bound to contribute a particular amount under this Bill. I am quite sure that so long as the Hon.

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Minister who is so much interested in libraries continues to be the Education Minister, the Government will not only contribute what the Government are liable to contribute under the statute but will contribute something more, because after all libraries do a very useful function in the education of the people.

“ Now, Sir, whatever may be the criticism here and there—there can always be differences of opinion on a Bill like this—I think this Bill ought to be accepted and the Bill must have our blessings. I congratulate the Hon. Minister once again and I hope that his name will be associated with this Bill which will be found to be more and more useful as years go on. This has a very wide scope if only the public, the local bodies and the Government would co-operate. There is no politics in this; it is only the education of the public. I appeal not only to the Government and to the local bodies, but also to public-spirited men and women in the Province to assist in the establishment of these libraries and to see that the libraries established under this Bill function very well and year by year they go from strength to strength.”

SRI N. RANGA REDDI :—“ Mr. President, Sir, while I support the important provisions of the Bill, I should like to make one or two observations with regard to the provision relating to the payment of grants by the Government. As the Hon. Minister for Education has explained in his speech, this Bill is intended to establish public libraries in the Province and to organize a system of urban and rural libraries. That object is to be achieved by the levy of a cess of half an anna on house-tax or property tax. According to section 13, a like amount is to be paid by the Government. My submission to the House is this : if this principle is to be accepted, is it possible that in the whole Province the same uniform effective service can be maintained by the realization of amounts from the various districts? What I want to make clear is this : unfortunately, the districts in this Province, all of them, are not rich ; the taxation from various districts, the disparity in the method of collection and the disparity in the realization are so great that the disparity in the amount of contributions by Government will also be great and inequalities will be great. If the idea of the Government is to see that illiteracy is liquidated, they should have some other provision by which grants are to be distributed to the districts on a different basis. They should not be made to depend on the amounts that are collected from the particular districts. If that is not to be the principle, then I submit the poorer districts and the backward districts can never hope to function or advance effectively along with the richer districts. I know even in previous years, grants for roads and bridges have been distributed on the basis of voluntary payment of an equal amount by the local bodies. The result was that local bodies which were poor were never able to claim that large amount that was claimed by the richer local bodies in the Province, so much so that the poorer districts were suffering ; their roads and bridges went to rack and ruin ; they were not constructing many roads or bridges. Probably there was some justification for it when it was left to local bodies

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to say ' We want this thing and that thing, we are paying so much and the Government should pay whatever we are paying '. But so far as these libraries are concerned, the Government themselves recognize the need for urban and rural libraries. When that need has been recognized, is it not the duty of the Government irrespective of the fact whether any amount is forthcoming from the local bodies or not, to distribute this amount equally? That is my point. Otherwise, Sir, the poorer districts can never hope to advance alongside the richer districts. Even the Draft Constitution has provided that it is the duty of the State—it is one of the directives—to provide compulsory elementary education for all children below fourteen years of age, and they want to provide for the education of the public. If the duty of the State is to provide education, how can they make any invidious distinction between the richer and poorer districts? I want that the Provincial Government should not tie itself to the provision in clause 13 of the Bill which says that so much amount alone can be drawn from the Provincial Government. They may overstep and should pay much more than what any district is entitled to on the basis of the tax collected by it."

MR. PRESIDENT :—" Do the provisions prevent such a thing? "

SRI N. RANGA REDDI :—" They do not ; but what I say is, the obligation of the Government under the Bill is to pay only so much amount."

MR. PRESIDENT :—" If there is obligation to that extent, the Government may exceed it? "

SRI N. RANGA REDDI :—" That is my submission. As a member myself of the Rural Water-supply and Drainage Committee, I had this principle enunciated and also accepted by the Committee. This is not a new thing. While Mr. C. Rajagopalachariar was the Premier here in 1937, he also recognized this policy, that is to say, with regard to the provision for rural water-supply, the need is the criterion and not whether any local body was willing to pay any amount for the construction work or not. This Government having accepted the need for making the people literate, and having said that it is very necessary to establish libraries throughout the Province, should also arrange to organize libraries in all rural places irrespective of whether any amount is forthcoming from the local bodies or not. In that way the Government should be more liberal in giving grants to the backward districts. I know even in the matter of giving grants for elementary school buildings, the principle seems to be to distribute grants on a population basis. Unfortunately, Sir, some districts are thinly populated and others are thickly populated ; what happens is: some districts are thickly populated because nature has provided them with good rivers always flowing and plenty of wet crops, while in other districts there is no irrigation, no wet lands and so, people there are not able to eke out their livelihood even. I, therefore, submit

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that this principle of 'if you pay so much, I will pay so much' should be given up, and the sooner it is given up the better. It used to be said that the man who pays the piper should have the right to call the tune. The Government should have realized it by now. Even in districts where you are establishing these libraries, does not the man who does not pay for the libraries get the benefit from them? There are also those who do not get the benefit of these libraries, but they are not prevented from having access to the libraries. The point is not whether anybody is or is not paying. The more important point is : should you not provide facilities for people who are not paying also? Therefore I submit that in regard to the poorer districts, this principle should not be applied. They should have more grants given to them. Sir, I support the provisions of the Bill."

* SRI R. SURYANARAYANA RAO :—“ Mr. President, Sir, I am very glad the Hon. Minister for Education has been emphasizing the importance of the library movement as a step towards the fulfilment of the ideal of adult education. But what I am not able to understand is why the Select Committee suggested and he agreed with the Select Committee, that there should be separate local library authorities. Sir, in England, every town and village has its own local authority to which representatives are elected by popular vote. As the hon. Members of this House are aware, each local authority raises local taxes, known as rates. The council is divided into committees, each with a specialized function, and one of those committees, is constituted as a library committee. This committee has invariably the right to co-opt outsiders possessing specialized knowledge of literature or education. Even the head-masters or headmistresses of schools are invited to serve on this committee. Therefore I do not know why we should create a number of committees when we have not got enough men to serve on the committees and societies we are already having? I do not know whether the Hon. Minister for Local Administration was consulted and whether he agreed his local bodies to abdicate their functions in favour of these library authorities. Sir, it is the function of every local body to provide this amenity and if they have not been able to do so, up to now, it is because they had no funds.

“ Sir, if this provision relating to the collection of cess is introduced in the Local Boards and Municipalities Act, certainly, Sir, every municipality and local board will be glad to collect this cess and promote the library movement. 4 p.m.

“ Sir, what is the composition of these library committees. Elections are to be held for constituting these committees. We have had a number of elections already and we know what factional spirit these elections generate. After all, the district board or municipality can elect its library committee and it may be given the option to co-opt members who are interested in the library movement. I do not think the Hon. Minister for Education was wise in accepting the suggestions made in the Select Committee. He ought to have stuck to his original Bill.

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"Then, Sir, there is the question of cess. Hon. Members of this House know that we are greatly exercised over the attitude of the Madras Government towards the contribution for elementary education. The Advisers' Government brought an Act in 1941 by which they had disclaimed their responsibility to pay an amount equal to that raised by the local boards and municipalities by means of an education cess. That primary responsibility of improving and spreading elementary education, they were not able to fulfil and discharge. Now, the State comes forward and takes upon itself the responsibility of paying equal to the amount raised by the library authorities by means of a cess. What I am saying is that if the State can do it, let it do it by all means. I offer my co-operation in this matter. But I am afraid the State is undertaking a responsibility which it has disclaimed in regard to elementary education. In this connexion I also sent a note to the Hon. Minister for Education stating that we were dissatisfied with his attitude towards the Corporation of Madras in refusing to pay the amount equal to that raised by them by way of an education cess. That is the position with regard to the elementary education. Well, the Government may say that they have not got enough money to provide for this purpose in the Budget. But I hope the Hon. Minister for Education will do something for the spread of elementary education. Mine may be a pious wish.

"Sir, my hon. Friend, Mr. Ranga Reddi, has raised a very pertinent point. During the Advisers' Regime special grants were made for the backward districts in this Province for the spread of elementary education. As soon as the Hon. Minister for Education took charge, he threatened to withdraw and we had to approach him. Then I think the order was modified promising continuance of grants for schools, started but refusing aid for further expansion. I hope the position remains the same. As Mr. Ranga Reddi has pointed out, if you base your contribution on the amount to be raised by means of a cess in backward districts like ours, there may not be much scope for the progress of the library movement. In these districts there has been no progress in elementary education compared with other districts. Therefore, Sir, as you suggested there is a method by which if the Government are pleased, they can increase their contribution."

* THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR. —
"It is provided in the Bill."

* SRI R. SURYANARAYANA RAO. — "Sir, I plead with the Hon. Minister for Education that in making contributions, he will remember this and not stick to the principle that the Government would pay only the amount equal to that raised by the local boards. I hope he will take into account the needs of each district in this matter. I feel the Hon. Minister has started a big movement. I wish him all success. But I also like him to see that in these elections to the various bodies, no action is created as far as possible so that the library movement may prosper and be useful to all."

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MR. PRESIDENT :—“ Will the Ali,asantana Bill take a long time? ”

* THE HON. SRI K. MADHAVA MENON :—“ Personally, I think it will not take much time.”

MR. PRESIDENT :—“ But there are some amendments.”

THE HON. SRI K. MADHAVA MENON :—“ They are only formal amendments.”

MR. PRESIDENT :—“ I think the whole thing can be finished by 4-30 p.m.”

* MRS. MONA HENSMAN :—“ Mr. President, I do not wish to take much time of the House with a long speech. But I cannot allow this Bill to be passed into law, as I think it will be in a few minutes—without expressing great pleasure on behalf of the women whom I have the honour to represent here in this House, that libraries are going to be increased and spread abroad so as to be within the reach of women as well as men in this country.”

MR. PRESIDENT :—“ Is there anything like that in the Bill? ”

* MRS. MONA HENSMAN :—“ Yes, Sir, a clear interpretation but I will come to that in a moment, for if and wherever there are Library Committees such as the Hon. Minister for Education has visualized, I feel sure that he will put women also on these library committees.”

MR. PRESIDENT :—“ This is the answer to Mr. Suryanarayana Rao.”

* MRS. MONA HENSMAN :—“ Sir, I have had experience of libraries, in this Province, because I have long been connected with the University Library and I am helping a voluntary library started in Madras in memory of the late Mr. Daniel Thomas. I know how difficult it is even to collect books and it is still more difficult to preserve them. I feel, Mr. President, that if one or two women are included in the committee, it would help the library movement as they will collect books from their friends and they will preserve good and rare books and will look very carefully after the budget. I am quite sure, the Hon. Minister for Education would also include women members in these committees. I do not think that the Hon. Minister has included only men members simply because they are going to pay cess and are more efficient than women. The men pay the cess because they happen to be in possession of the property.”

MR. PRESIDENT :—“ There cannot be two opinions on the matter that in some respects women are more efficient than men.”

DR. V. K. JOHN :—“ The real danger is that the Hon. Education Minister may prefer ladies to men.” (Laughter.)

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* MRS. MONA HENSMAN :—“ Sir, I should like to say that if we want to have a collection of books for the library, the idea of a central library seems to me to be the best solution. The hon. Member who spoke just before me referred to the need for a central source of supply—and he well knows about national health propaganda films. But I feel that people will have to look at the picture from two points of view, that of the subscriber and that of the reader. Both should be considered. Be that as it may, rare and good books and also reference books cannot be purchased out of the single funds of local libraries. A central library alone will serve this purpose of lending books as well as supplying new books and this will surely be a great benefit to this Province.

“ Sir, I just wish to ask the Hon. Education Minister one question, and I know he will answer it very satisfactorily as he has done with regard to other problems. When it comes to the question of libraries in rural areas, I presume he will lay emphasis on the regional language of that area so that the adult and the average person who has been made literate, will be able to profit by these libraries. We have done nothing for the growth of adult education in the past. Therefore, I trust that in these local libraries, great stress will be laid on the fact that books pertaining to ordinary life and rural life and books interesting to the adult, will also be included so that adult literacy and adult education may grow. The adult literate will not be content with the exercise books and small story books of children. Having seen life, they want better things. May I congratulate most heartily the Hon. Education Minister for bringing this Bill, and trust he will implement the policy he has promulgated by the allotment of sufficient funds for the same.”

* THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—
“ Sir, I am grateful . . . ”

MR. PRESIDENT :—“ Not only grateful but you are fortunate.”

* THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—
“ Sir, I am very grateful and I wish to declare myself very fortunate for having got the unanimous support of this House to this Bill.”

THE HON. SRI K. MADHAVA MENON :—“ It is very rare.”

DR. V. K. JOHN :—“ All good measures, we will support.”

* THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—
“ Sir, I just want to say one or two matters. Separate Library Authorities are created for this reason. The taxes are all levied not in the rural areas but in the municipalities and district boards. To-day, we do not levy a great tax for the library movement. We are first seeking to levy a small tax on house property. We cannot entrust this job to the panchayat as there is no machinery to collect this tax on property in the rural areas. Therefore a separate Library Authority is created.”

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MR. PRESIDENT:—“Surely we have got an agency in the panchayat areas.”

* THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—
“The panchayat areas are very few and small.”

SRI R. SURYANARAYANA RAO :—“There are a large number of panchayats of which my Hon. Friend Mr. Chandra-mouli is in charge.”

* THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—
“Sir, compared to the non-panchayat area, the panchayat area is small.

“Secondly, if you want to have a co-ordinated growth of the library movement in this province, there must be a Central Library to co-ordinate the work of various libraries. Also it will stock valuable books and distribute them to various places within their jurisdiction. If we do not have a Central Library it would be difficult to establish this co-ordination. This and other considerations were considered by the Select Committee and they went in for a Library Authority in each district as envisaged in the Bill.”

MR. PRESIDENT:—“I thought that there will soon come a time when there will be a panchayat for every village.”

* THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—
“Then it will be time to make a small amendment.

“About the contribution, there is a good deal of force in what my hon. Friend Mr. Ranga Reddi said. But we are living in rather bad times. I am hoping for a better time and let us await that.

“As regards the suggestion made by the hon. Lady Member, certainly rural libraries will be stocked with suitable books. We propose to take the help of the Madras Libraries Association which has done a great deal of work in this direction and of Mr. S. R. Ranganathan who has distinguished himself in this field in framing rules and other matters.”

MRS. MONA HENSMAN :—“Will the Hon. Minister give an assurance that the help of ladies also will be taken?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—
“That is the very reason why it is provided in clause 5 (2) (b) (ii) that two shall be headmasters or headmistresses.”

DR. V. K. JOHN :—“May I ask for an assurance that the help of men also will be taken?” (Laughter.)

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—
“I may assure that the help of both men as well as women will be taken.

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“ I am very grateful for the suggestions made and the support given.”

The motion was put and carried.

Clauses 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 14-A, 15, 16, 17, 18 and 1 and the Preamble were put one by one and carried.

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—
“ Sir, I move that the Bill be passed into law.”

The motion was put and carried and the Bill was passed into law.

(8) THE MADRAS ALIYASANTANA BILL, 1947 (L.C. BILL No. 1 OF 1948).

* THE HON. SRI K. MADHAVA MENON :—“ Sir, I present the report of the Joint Select Committee on the Madras Aliyasantana Bill, 1947 (L.C. Bill No. 1 of 1948) and move that the Bill as reported by the Joint Select Committee be taken into consideration.

“ I hope that the contagion of the good fortune of my Hon. Colleague will spread to me with reference to this Bill. (Laughter.) When I moved a motion in this House for constituting a Joint Select Committee on this Bill, I gave the reason why the Government took up this legislation. It has been suggested that it is expedient to define and amend in certain respects the law relating to marriage, maintenance, guardianship, intestate succession, family management and partition applicable to persons governed by the Aliyasantana Law of Inheritance. This Bill is more or less based on the Malabar Marumakkattayam Act passed by the Madras Legislature in 1933. There was no law relating to marriage, intestate succession or partition and it has worked much havoc. Marriages in the community are not held strictly valid in law. So the community has been asking for some sort of legislation. At the same time, there is a bit of conservatism in the community. This Bill does not go as far as the Marumakkattayam Act because the people in South Kanara to whom it applies do not want all the provisions of that Act to be incorporated. The Joint Select Committee held sittings in Mangalore, Udupi and other places and examined a number of witnesses. We had the benefit of the advice and experience of Mr. Karanth, who has been a practising lawyer in South Kanara, and also the advice of other lawyers there. The community as a whole welcome this Bill. In the matter of partition, the members of the community to which this Bill applies want that partition should be *per stirpes* and not *per capita*. I visited a hostel in South Kanara and even the young students there wanted that partition should be *per stirpes* and not *per capita*.”

MR. PRESIDENT :—“ What is the reason?”

* THE HON. SRI K. MADHAVA MENON :—“ The reason seems to be that women will be helpless if the partition is *per*